

Shasta LAFCO

Shasta Local Agency Formation Commission

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MINUTES

Regular Meeting – August 6, 2009

(These minutes are not intended to be a verbatim transcription of the proceedings and discussion associated with the business on the Commission's agenda; rather, what follows is a summary of the order of business and general nature of testimony, Commission deliberation, and action taken.)

CALL TO ORDER/ROLL CALL/INTRODUCTIONS

Chairman Gover called the meeting to order at 9:00 am at the City of Redding Council Chambers, 777 Cypress Ave, Redding, CA. Commissioners Farr, Fust, Gover, Haynes & Kehoe were present. Commissioner Baugh & Dickerson were absent. Executive Officer Mickelson and Clerk Smith were present as staff.

PLEDGE OF ALLEGIANCE

Commissioner Fust led the Pledge of Allegiance.

PUBLIC COMMENT

Ms. Kathy Jalquin addressed the Commission. She stated that the three things couldn't be hidden for long: the sun, the moon and the truth. She went on to say that if Commissioner Haynes continued doing what she was doing, that she (Ms. Jalquin) would sue LAFCO.

MINUTES

The minutes of June 11, 2009 were presented. By motion made and seconded (Kehoe, Farr) the Commission approved the June 11, 2009 minutes as amended. Amendments included; changing Commission to Commissioner on page 3 paragraphs 9 and 10.

BUDGET & FISCAL AFFAIRS

Fiscal Year 2009-10 1st Quarter Transaction Register to Date

Commissioner Haynes asked about seeing a transaction register that included June expenditures. Ms. Mickelson stated that she would transmit the year-end detail to the Commissioners.

The 1st Quarter Transaction Register was presented for review and adoption. By motion made and seconded (Haynes, Kehoe) the Commission approved the 1st Quarter Transaction Register.

Consideration of Checking Account Statements

Ms. Mickelson presented the following bank statements: US Bank: two statements dated May 31, 2009 and June 30, 2009; Tri Counties Bank: two statements dated June 17, 2009 and July 19, 2009; and LAIF: two statements dated May 2009 and June 2009. By motion made and seconded (Haynes,Fust) the Commission approved the bank statements as presented.

SPECIAL STUDIES AND REPORTS

Municipal Services Review: Status Report

Commissioner Fust asked Ms. Mickelson if the Commission had decided how to handle districts that had yet to respond to LAFCO in regard to an MSR. Ms. Mickelson stated that the Commission had decided in the past that they would not allow any type of jurisdictional boundary changes until an MSR is complete.

Commissioner Farr wanted to know what would happen should a district apply to expand their boundaries into another district that hasn't yet completed a MSR.

Ms. Mickelson stated that it would be a Commission decision and done on a case by case basis.

Ms. Mickelson provided the Commission with the current MSR update. This was an information item only. No action was taken.

Countywide Spheres of influence Review: Status Report

Ms. Mickelson provided the Commission with the current Countywide Spheres of Influence Report. She noted that changes to the proposed schedule would be likely, given that some Districts would be bringing applications forward on their own as well. This was an information item only. No action was taken.

CHANGES OF ORGANIZATION AND/OR REORGANIZATION

Report on Upcoming or Potential Proposals

The Executive Officer provided a brief summary to the Commissioners regarding upcoming and expected proposals. Discussion followed. No action was taken.

OPERATIONS & ADMINISTRATION

Consider Responses to Legal Request for Proposals and Determine Scope of Legal Counsel Needs

Commissioner Kehoe was asked to update the full Commission as to the Executive Committee's findings. Commissioner Kehoe stated that the Executive Committee looked into LAFCO needing full time legal counsel verses an on-call legal counsel. The Executive Committee recommended amending the current

RFP for Legal Counsel to include an on-call or ad hoc type of service. This would give other firms an opportunity to submit a proposal to LAFCO.

Chair Gover added that the current RFP that was sent out excluded some firms, including LAFCO's current legal counsel, due to the current proposal.

Commissioner Farr asked if we could renegotiate with current legal counsel and not send out a new RFP.

Ms. Mickelson stated that legal counsel recommended sending out a new RFP.

Discussion followed.

By motion made and seconded (Kehoe, Haynes) the Commission directed staff to recirculate a modified FRP to the legal community.

Discussion: Commissioner Farr expressed that he did not feel it was necessary to recirculate but would support the Executive Committee. He did want to know if the same legal counsel who contracts with the City of Shasta Lake were to contract with LAFCO, would he have to recuse himself?

Ms. Mickelson stated that in general, he would not need to recuse himself due to the attorney representing both agencies.

SDRMA Board of Director Elections

Ms. Mickelson presented the Commission with potential candidates for Directors of the SDRMA Board.

The Commission took no action.

Designation of CALAFCO Voting Delegate

By motion made and seconded (Farr, Fust) the Commission designated Ms. Mickelson for the CALAFCO Voting Delegate.

COMMISSIONER ANNOUNCEMENTS

Chair Gover addressed a letter that was received in regards to the budget process. Since the letter was addressed to the Chair and Vice Chair the Commission had not yet seen the letter Chair Gover was referring to.

Commissioner Kehoe suggested the letters be circulated to the full Commission, placed on a later agenda if necessary, as well as policy considered on how to circulate communication addressed only to certain members of the Commission.

STAFF ANNOUNCEMENTS

The next regular LAFCO meeting (Commissioner Workshop) will be at 9:00 am on September 3, 2009 at the McConnell Foundation Guest House. It was noted that although the Workshop will be focused toward Commissioner Education, that members of the public would be able to attend as well. Commissioner Kehoe asked that specific directions to the Guest House be distributed with the agenda as well.

CLOSED SESSION

None

CLOSED SESSION REPORT

None

ADJOURNMENT

There being no further business, Chairman Gover adjourned the meeting at 9:55 am.

Respectfully submitted,

Jessica Smith

Clerk to the Commission

Date